



JC04 PCT/PTO 11 OCT 2005

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q86185

Seimei SHIRATORI, et al.

Appln. No.: 10/523,369

Group Art Unit: Unknown

Confirmation No.: 1353

Examiner: Unknown

Filed: February 7, 2005

For: FILMS HAVING MULTILAYER HETEROSTRUCTURE, PROCESS FOR
PRODUCING THE SAME AND OPTICAL DEVICES USING THE SAME

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
AND REQUEST FOR RECALCULATION OF FILING FEE**

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," for the above application, Applicant respectfully submits herewith a copy of the Declaration for the above identified application properly executed by the inventors.

Applicants have recalculated the filing fee (**after entry of the Preliminary Amendment**) as shown below and do not believe that any additional claim fees are necessary. However, if found to be to the contrary, the USPTO is directed and authorized to the statutory fee to Deposit Account No. 19-4880.

10/14/2005 MKAYPAGH 00000134 10523369

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Response to Notification of Missing Requirements
Page 2

Total claims	<u>41</u>	-	20	=	<u>21</u>	x	\$50.00	=	<u>\$1050.00</u>
Independent claims	<u>4</u>	-	3	=	<u>1</u>	x	\$200.00	=	<u>\$200.00</u>
Base Fee									<u>\$300.00</u>
Search Fee									<u>\$500.00</u>
Examination Fee									<u>\$200.00</u>
TOTAL FEES PREVIOUSLY SUBMITTED									<u>\$2250.00</u>

A check for the statutory fee of \$130.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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John T. Callahan
Registration No. 32,607

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 11, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

2fm
 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,369	Seimei Shiratori	Q86185

23373
 SUGHRUE MION, PLLC
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DOCKETED
 AUG 19 2005

INTERNATIONAL APPLICATION NO.	
PCT/JP03/09935	
I.A. FILING DATE	PRIORITY DATE
08/05/2003	08/06/2002

CONFIRMATION NO. 1353
 371 FORMALITIES LETTER



OC000000016720123

Date Mailed: 08/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/07/2005
- English Translation of the IA filed on 02/07/2005
- Copy of the International Search Report filed on 02/07/2005
- Copy of IPE Report filed on 02/07/2005
- Preliminary Amendments filed on 02/07/2005
- Request for Immediate Examination filed on 02/07/2005
- U.S. Basic National Fees filed on 02/07/2005
- Priority Documents filed on 02/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$200** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$330** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 200**
 - **\$200** for **2** independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,369	PCT/JP03/09935	Q86185